



General Assembly

January Session, 2009

Amendment

LCO No. 6323

SB0088706323SD0

Offered by:

SEN. LEBEAU, 3rd Dist.

To: Subst. Senate Bill No. 887

File No. 403

Cal. No. 310

"AN ACT CONCERNING CHANGES TO ECONOMIC DEVELOPMENT STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 32-235 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) For the purposes described in subsection (b) of this section, the
6 State Bond Commission shall have the power, from time to time to
7 authorize the issuance of bonds of the state in one or more series and
8 in principal amounts not exceeding in the aggregate five hundred
9 ninety-five million three hundred thousand dollars, provided forty-
10 five million dollars of said authorization shall be effective July 1, 2008.

11 (b) The proceeds of the sale of said bonds, to the extent of the
12 amount stated in subsection (a) of this section, shall be used by the
13 Department of Economic and Community Development for the
14 purposes of sections 32-220 to 32-234, inclusive, as amended by this

15 act, including economic cluster-related programs and activities, and
16 for the Connecticut job training finance demonstration program
17 pursuant to sections 32-23uu and 32-23vv provided, (1) three million
18 dollars shall be used by said department solely for the purposes of
19 section 32-23uu and not more than five million two hundred fifty
20 thousand dollars of the amount stated in said subsection (a) may be
21 used by said department for the purposes of section 31-3u, (2) not less
22 than one million dollars shall be used for an educational technology
23 grant to the deployment center program and the nonprofit business
24 consortium deployment center approved pursuant to section 32-41l, (3)
25 not less than two million dollars shall be used by said department for
26 the establishment of a pilot program to make grants to businesses in
27 designated areas of the state for construction, renovation or
28 improvement of small manufacturing facilities provided such grants
29 are matched by the business, a municipality or another financing
30 entity. The Commissioner of Economic and Community Development
31 shall designate areas of the state where manufacturing is a substantial
32 part of the local economy and shall make grants under such pilot
33 program which are likely to produce a significant economic
34 development benefit for the designated area, (4) five million dollars
35 may be used by said department for the manufacturing
36 competitiveness grants program, (5) one million dollars shall be used
37 by said department for the purpose of a grant to the Connecticut
38 Center for Advanced Technology, for the purposes of section 32-237,
39 (6) fifty million dollars shall be used by said department for the
40 purpose of grants to the United States Department of the Navy, the
41 United States Department of Defense or eligible applicants for projects
42 related to the enhancement of infrastructure for long-term, on-going
43 naval operations at the United States Naval Submarine Base-New
44 London, located in Groton, which will increase the military value of
45 said base, and (7) two million dollars shall be used by said department
46 for the purpose of a grant to the Connecticut Center for Advanced
47 Technology, Inc., for manufacturing initiatives, including aerospace
48 and defense.

49 (c) All provisions of section 3-20, or the exercise of any right or
50 power granted thereby which are not inconsistent with the provisions
51 of this section are hereby adopted and shall apply to all bonds
52 authorized by the State Bond Commission pursuant to this section, and
53 temporary notes in anticipation of the money to be derived from the
54 sale of any such bonds so authorized may be issued in accordance with
55 said section 3-20 and from time to time renewed. Such bonds shall
56 mature at such time or times not exceeding twenty years from their
57 respective dates as may be provided in or pursuant to the resolution or
58 resolutions of the State Bond Commission authorizing such bonds.
59 None of said bonds shall be authorized except upon a finding by the
60 State Bond Commission that there has been filed with it a request for
61 such authorization, which is signed by or on behalf of the Secretary of
62 the Office of Policy and Management and states such terms and
63 conditions as said commission, in its discretion, may require. Said
64 bonds issued pursuant to this section shall be general obligations of the
65 state and the full faith and credit of the state of Connecticut are
66 pledged for the payment of the principal of and interest on said bonds
67 as the same become due, and accordingly and as part of the contract of
68 the state with the holders of said bonds, appropriation of all amounts
69 necessary for punctual payment of such principal and interest is
70 hereby made, and the Treasurer shall pay such principal and interest
71 as the same become due.

72 (d) For the purposes of subdivision (6) of subsection (b) of this
73 section, grants to the United States Department of the Navy or the
74 United States Department of Defense shall not be subject to compliance
75 with any executive order of the Governor.

76 Sec. 502. Subsection (a) of section 32-223 of the general statutes is
77 repealed and the following is substituted in lieu thereof (*Effective from*
78 *passage*):

79 (a) (1) An eligible applicant shall submit an application for financial
80 assistance to the commissioner on forms provided by the
81 commissioner and with such information the commissioner deems

82 necessary, including, but not limited to: [(1)] (A) A description of the
83 proposed project; [(2)] (B) an explanation of the expected benefits of
84 the project in relation to the purposes of sections 32-220 to 32-234,
85 inclusive, as amended by this act; [(3)] (C) information concerning the
86 financial and technical capacity of the eligible applicant to undertake
87 the proposed project; [(4)] (D) a project budget; and [(5)] (E)
88 identification, when appropriate, of business support services that may
89 be of benefit to the state and the manufacturing and economic base
90 businesses located or locating in the project area as part of the project.
91 In the case of a municipal development project the eligible applicant
92 shall, in addition to an application for financial assistance, submit a
93 development plan prepared pursuant to subsection (b) of section 32-
94 224 and approved by the commissioner, provided an eligible applicant
95 may, prior to the submission of a development plan, receive financial
96 assistance for activities related to the planning of a municipal
97 development project to the extent such assistance is provided for
98 under subsection (b) of this section.

99 (2) The United States Department of the Navy, the United States
100 Department of Defense or eligible applicants shall not be required to
101 submit an application for financial assistance to the commissioner, as
102 required by subsection (a) of this section, for projects related to the
103 enhancement of infrastructure for long-term, on-going naval
104 operations at the United States Naval Submarine Base-New London
105 that are funded by grants to said Department of the Navy, said
106 Department of Defense or said applicants as provided in subdivision
107 (6) of subsection (b) of this section.

108 Sec. 503. Subsection (c) of section 32-223 of the general statutes is
109 repealed and the following is substituted in lieu thereof (*Effective from*
110 *passage*):

111 (c) No financial assistance shall be given to an eligible applicant and
112 no participation interest in a loan made by the Connecticut
113 Development Authority for the benefit of an eligible applicant shall be
114 purchased by the department until the commissioner has approved the

115 application submitted in accordance with subsection (a) of this section.
116 Notwithstanding any other provision of this section, in the event that
117 the financial assistance requested is the purchase by the department of
118 a participation interest in a loan made by the Connecticut
119 Development Authority, such authority may submit such application
120 and other information as is required of eligible applicants under
121 subsection (a) of this section on behalf of such eligible applicant and no
122 further application shall be required of such eligible applicant. No
123 financial assistance shall exceed: (1) Except as otherwise provided in
124 subdivisions (2) to [(5)] (6), inclusive, of this subsection, fifty per cent
125 of the total project cost, (2) in the case of financial assistance to any
126 project in a targeted investment community, ninety per cent of the
127 project cost, (3) when two or more municipalities which are not
128 targeted investment communities jointly initiate a municipal
129 development project in accordance with the provisions of subsection
130 (e) of section 32-224, seventy-five per cent of the total project cost, (4) in
131 the case of a municipal development project jointly initiated by two or
132 more municipalities at least one of which is a targeted investment
133 community, the sum of: (A) Seventy-five per cent of the portion of the
134 total project cost allocable to the participation of the municipality or
135 municipalities which are not targeted investment communities, and (B)
136 ninety per cent of the portion of the total project cost allocable to the
137 participation of any targeted investment community or communities,
138 [and] (5) in the case of a defense diversification project, ninety per cent
139 of the total project cost if the project involves a municipal development
140 project or the acquisition or development, or both, of real property for
141 an unspecified occupant, and one hundred per cent in the case of any
142 other defense diversification project, and (6) in the case of moneys
143 used by the department for the purpose of grants to the United States
144 Department of the Navy, United States Department of Defense or
145 eligible applicants for projects related to the enhancement of
146 infrastructure for long-term, on-going naval operations at the United
147 States Naval Submarine Base-New London, as provided in subdivision
148 (6) of subsection (b) of section 32-235, as amended by this act, one
149 hundred per cent of the total project cost. A municipality's share of the

150 total project cost, if any, may, with the approval of the commissioner,
151 be satisfied entirely or partially from noncash contributions, including
152 contributions of real property, from private sources, or, to the extent
153 permitted by federal law, from moneys received by the municipality
154 under any federal grant program.

155 Sec. 504. Section 9-612 of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective from passage*):

157 (a) No individual shall make a contribution or contributions in any
158 one calendar year in excess of five thousand dollars to the state central
159 committee of any party, or for the benefit of such committee pursuant
160 to its authorization or request; or one thousand dollars to a town
161 committee of any political party, or for the benefit of such committee
162 pursuant to its authorization or request; or one thousand dollars to a
163 legislative caucus committee or legislative leadership committee, or
164 seven hundred fifty dollars to any other political committee other than
165 (1) a political committee formed solely to aid or promote the success or
166 defeat of a referendum question, (2) an exploratory committee, (3) a
167 political committee established by an organization, or for the benefit of
168 such committee pursuant to its authorization or request, or (4) a
169 political committee formed by a slate of candidates in a primary for the
170 office of justice of the peace of the same town.

171 (b) No individual shall make a contribution to a political committee
172 established by an organization which receives its funds from the
173 organization's treasury. With respect to a political committee
174 established by an organization which has complied with the provisions
175 of subsection (b) or (c) of section 9-614, and has elected to receive
176 contributions, no individual other than a member of the organization
177 may make contributions to the committee, in which case the individual
178 may contribute not more than seven hundred fifty dollars in any one
179 calendar year to such committee or for the benefit of such committee
180 pursuant to its authorization or request.

181 (c) In no event may any individual make contributions to a

182 candidate committee and a political committee formed solely to
183 support one candidate other than an exploratory committee or for the
184 benefit of a candidate committee and a political committee formed
185 solely to support one candidate pursuant to the authorization or
186 request of any such committee, in an amount which in the aggregate is
187 in excess of the maximum amount which may be contributed to the
188 candidate.

189 (d) Any individual may make unlimited contributions or
190 expenditures to aid or promote the success or defeat of any
191 referendum question, provided any individual who makes an
192 expenditure or expenditures in excess of one thousand dollars to
193 promote the success or defeat of any referendum question shall file
194 statements according to the same schedule and in the same manner as
195 is required of a campaign treasurer of a political committee under
196 section 9-608.

197 (e) (1) Any individual acting alone may, independent of any
198 candidate, agent of the candidate, or committee, make unlimited
199 expenditures to promote the success or defeat of any candidate's
200 campaign for election, or nomination at a primary, to any office or
201 position. Except as provided in subdivision (2) of this subsection, any
202 individual who makes an independent expenditure or expenditures in
203 excess of one thousand dollars to promote the success or defeat of any
204 candidate's campaign for election, or nomination at a primary, to any
205 such office or position shall file statements according to the same
206 schedule and in the same manner as is required of a campaign
207 treasurer of a candidate committee under section 9-608.

208 (2) Any person who makes or obligates to make an independent
209 expenditure or expenditures, as defined in section 9-601, intended to
210 promote the success or defeat of a candidate for the office of Governor,
211 Lieutenant Governor, Secretary of the State, State Treasurer, State
212 Comptroller, Attorney General, state senator or state representative,
213 which exceeds one thousand dollars, in the aggregate, during a
214 primary campaign or a general election campaign, as defined in

215 section 9-700, on or after January 1, 2008, shall file a report of such
216 independent expenditure to the State Elections Enforcement
217 Commission. The report shall be in the same form as statements filed
218 under section 9-608. If the person makes or obligates to make such
219 independent expenditure or expenditures more than twenty days
220 before the day of a primary or election, the person shall file such report
221 not later than forty-eight hours after such payment or obligation. If the
222 person makes or obligates to make such independent expenditure or
223 expenditures twenty days or less before the day of a primary or
224 election, the person shall file such report not later than twenty-four
225 hours after such payment or obligation. The report shall be filed under
226 penalty of false statement.

227 (3) The independent expenditure report in subdivision (2) of this
228 subsection shall include a statement (A) identifying the candidate for
229 whom the independent expenditure or expenditures is intended to
230 promote the success or defeat, and (B) affirming that the expenditure is
231 not a coordinated expenditure.

232 (4) Any person may file a complaint with the commission upon the
233 belief that (A) any such independent expenditure report or statement
234 is false, or (B) any person who is required to file an independent
235 expenditure report under subdivision (2) of this subsection has failed
236 to do so. The commission shall make a prompt determination on such
237 a complaint.

238 (5) (A) If a person fails to file a report required under subdivision (2)
239 of this subsection for an independent expenditure or expenditures
240 made or obligated to be made more than twenty days before the day of
241 a primary or election, the person shall be subject to a civil penalty,
242 imposed by the State Elections Enforcement Commission, of not more
243 than five thousand dollars. If a person fails to file a report required
244 under subdivision (2) of this subsection for an independent
245 expenditure or expenditures made or obligated to be made twenty
246 days or less before the day of a primary or election, the person shall be
247 subject to a civil penalty, imposed by the State Elections Enforcement

248 Commission, of not more than ten thousand dollars. (B) If any such
249 failure is knowing and wilful, the person responsible for the failure
250 shall also be fined not more than five thousand dollars or imprisoned
251 not more than five years, or both.

252 (f) (1) As used in this subsection and subsection (f) of section 9-608,
253 (A) "investment services" means investment legal services, investment
254 banking services, investment advisory services, underwriting services,
255 financial advisory services or brokerage firm services, and (B)
256 "principal of an investment services firm" means (i) an individual who
257 is a director of or has an ownership interest in an investment services
258 firm to which the State Treasurer pays compensation, expenses or fees
259 or issues a contract, except for an individual who owns less than five
260 per cent of the shares of an investment services firm, (ii) an individual
261 who is employed by such an investment services firm as president,
262 treasurer, or executive vice president, (iii) an employee of such an
263 investment services firm who has managerial or discretionary
264 responsibilities with respect to any investment services provided to the
265 State Treasurer, (iv) the spouse or a dependent child who is eighteen
266 years of age or older of an individual described in this subparagraph,
267 or (v) a political committee established or controlled by an individual
268 described in this subparagraph.

269 (2) No principal of an investment services firm shall make a
270 contribution to, or solicit contributions on behalf of, an exploratory
271 committee or candidate committee established by a candidate for
272 nomination or election to the office of State Treasurer during the term
273 of office of the State Treasurer who pays compensation, expenses or
274 fees or issues a contract to such firm. The provisions of this subdivision
275 shall apply only to contributions and the solicitation of contributions
276 that are not prohibited under subdivision (2) of subsection (g) of this
277 section.

278 (3) Neither the State Treasurer, the Deputy State Treasurer, any
279 unclassified employee of the office of the State Treasurer acting on
280 behalf of the State Treasurer or Deputy State Treasurer, any candidate

281 for the office of State Treasurer, any member of the Investment
282 Advisory Council established under section 3-13b nor any agent of any
283 such candidate may knowingly, wilfully or intentionally solicit
284 contributions on behalf of an exploratory committee or candidate
285 committee established by a candidate for nomination or election to any
286 public office, a political committee or a party committee, from a
287 principal of an investment services firm. The provisions of this
288 subdivision shall apply only to contributions and the solicitation of
289 contributions that are not prohibited under subdivision (3) of
290 subsection (g) of this section.

291 (4) No member of the Investment Advisory Council appointed
292 under section 3-13b shall make a contribution to, or solicit
293 contributions on behalf of, an exploratory committee or candidate
294 committee established by a candidate for nomination or election to the
295 office of State Treasurer.

296 (5) The provisions of this subsection shall not restrict an individual
297 from establishing an exploratory or candidate committee or from
298 soliciting for and making contributions to a town committee or
299 political committee that the candidate has designated in accordance
300 with subsection (b) of section 9-604, for the financing of the
301 individual's own campaign or from soliciting contributions for such
302 committees from persons not prohibited from making contributions
303 under this subsection.

304 (g) (1) As used in this subsection and subsections (h) and (i) of this
305 section:

306 (A) "Quasi-public agency" has the same meaning as provided in
307 section 1-120.

308 (B) "State agency" means any office, department, board, council,
309 commission, institution or other agency in the executive or legislative
310 branch of state government.

311 (C) "State contract" means an agreement or contract with the state or

312 any state agency or any quasi-public agency, let through a
313 procurement process or otherwise, having a value of fifty thousand
314 dollars or more, or a combination or series of such agreements or
315 contracts having a value of one hundred thousand dollars or more in a
316 calendar year, for (i) the rendition of services, (ii) the furnishing of any
317 goods, material, supplies, equipment or any items of any kind, (iii) the
318 construction, alteration or repair of any public building or public work,
319 (iv) the acquisition, sale or lease of any land or building, (v) a licensing
320 arrangement, or (vi) a grant, loan or loan guarantee. "State contract"
321 does not include any agreement or contract with the state, any state
322 agency or any quasi-public agency that is exclusively federally funded,
323 an education loan or a loan to an individual for other than commercial
324 purposes.

325 (D) "State contractor" means a person, business entity or nonprofit
326 organization that enters into a state contract. Such person, business
327 entity or nonprofit organization shall be deemed to be a state
328 contractor until December thirty-first of the year in which such
329 contract terminates. "State contractor" does not include a municipality
330 or any other political subdivision of the state, including any entities or
331 associations duly created by the municipality or political subdivision
332 exclusively amongst themselves to further any purpose authorized by
333 statute or charter, or an employee in the executive or legislative branch
334 of state government or a quasi-public agency, whether in the classified
335 or unclassified service and full or part-time, and only in such person's
336 capacity as a state or quasi-public agency employee.

337 (E) "Prospective state contractor" means a person, business entity or
338 nonprofit organization that (i) submits a response to a state contract
339 solicitation by the state, a state agency or a quasi-public agency, or a
340 proposal in response to a request for proposals by the state, a state
341 agency or a quasi-public agency, until the contract has been entered
342 into, or (ii) holds a valid prequalification certificate issued by the
343 Commissioner of Administrative Services under section 4a-100.
344 "Prospective state contractor" does not include a municipality or any
345 other political subdivision of the state, including any entities or

346 associations duly created by the municipality or political subdivision
347 exclusively amongst themselves to further any purpose authorized by
348 statute or charter, or an employee in the executive or legislative branch
349 of state government or a quasi-public agency, whether in the classified
350 or unclassified service and full or part-time, and only in such person's
351 capacity as a state or quasi-public agency employee.

352 (F) "Principal of a state contractor or prospective state contractor"
353 means (i) any individual who is a member of the board of directors of,
354 or has an ownership interest of five per cent or more in, a state
355 contractor or prospective state contractor, which is a business entity,
356 except for an individual who is a member of the board of directors of a
357 nonprofit organization, (ii) an individual who is employed by a state
358 contractor or prospective state contractor, which is a business entity, as
359 president, treasurer or executive vice president, (iii) an individual who
360 is the chief executive officer of a state contractor or prospective state
361 contractor, which is not a business entity, or if a state contractor or
362 prospective state contractor has no such officer, then the officer who
363 duly possesses comparable powers and duties, (iv) an officer or an
364 employee of any state contractor or prospective state contractor who
365 has managerial or discretionary responsibilities with respect to a state
366 contract, (v) the spouse or a dependent child who is eighteen years of
367 age or older of an individual described in this subparagraph, or (vi) a
368 political committee established or controlled by an individual
369 described in this subparagraph or the business entity or nonprofit
370 organization that is the state contractor or prospective state contractor.

371 (G) "Dependent child" means a child residing in an individual's
372 household who may legally be claimed as a dependent on the federal
373 income tax return of such individual.

374 (H) "Managerial or discretionary responsibilities with respect to a
375 state contract" means having direct, extensive and substantive
376 responsibilities with respect to the negotiation of the state contract and
377 not peripheral, clerical or ministerial responsibilities.

378 (I) "Rendition of services" means the provision of any service to a
379 state agency or quasi-public agency in exchange for a fee,
380 remuneration or compensation of any kind from the state or through
381 an arrangement with the state.

382 (J) "State contract solicitation" means a request by a state agency or
383 quasi-public agency, in whatever form issued, including, but not
384 limited to, an invitation to bid, request for proposals, request for
385 information or request for quotes, inviting bids, quotes or other types
386 of submittals, through a competitive procurement process or another
387 process authorized by law waiving competitive procurement.

388 (2) On and after December 31, 2006:

389 (A) No state contractor, prospective state contractor, principal of a
390 state contractor or principal of a prospective state contractor, with
391 regard to a state contract or a state contract solicitation with or from a
392 state agency in the executive branch or a quasi-public agency or a
393 holder, or principal of a holder of a valid prequalification certificate,
394 shall make a contribution to, or solicit contributions on behalf of (i) an
395 exploratory committee or candidate committee established by a
396 candidate for nomination or election to the office of Governor,
397 Lieutenant Governor, Attorney General, State Comptroller, Secretary
398 of the State or State Treasurer, (ii) a political committee authorized to
399 make contributions or expenditures to or for the benefit of such
400 candidates, or (iii) a party committee;

401 (B) No state contractor, prospective state contractor, principal of a
402 state contractor or principal of a prospective state contractor, with
403 regard to a state contract or a state contract solicitation with or from
404 the General Assembly or a holder, or principal of a holder, of a valid
405 prequalification certificate, shall make a contribution to, or solicit
406 contributions on behalf of (i) an exploratory committee or candidate
407 committee established by a candidate for nomination or election to the
408 office of state senator or state representative, (ii) a political committee
409 authorized to make contributions or expenditures to or for the benefit

410 of such candidates, or (iii) a party committee;

411 (C) If a state contractor or principal of a state contractor makes or
412 solicits a contribution prohibited under subparagraph (A) or (B) of this
413 subdivision, as determined by the State Elections Enforcement
414 Commission, the contracting state agency or quasi-public agency may,
415 in the case of a state contract executed on or after February 8, 2007,
416 void the existing contract with said contractor, and no state agency or
417 quasi-public agency shall award the state contractor a state contract or
418 an extension or an amendment to a state contract for one year after the
419 election for which such contribution is made or solicited unless the
420 commission determines that mitigating circumstances exist concerning
421 such violation. No violation of the prohibitions contained in
422 subparagraph (A) or (B) of this subdivision shall be deemed to have
423 occurred if, and only if, the improper contribution is returned to the
424 principal by the later of thirty days after receipt of such contribution
425 by the recipient committee treasurer or the filing date that corresponds
426 with the reporting period in which such contribution was made; and

427 (D) If a prospective state contractor or principal of a prospective
428 state contractor makes or solicits a contribution prohibited under
429 subparagraph (A) or (B) of this subdivision, as determined by the State
430 Elections Enforcement Commission, no state agency or quasi-public
431 agency shall award the prospective state contractor the contract
432 described in the state contract solicitation or any other state contract
433 for one year after the election for which such contribution is made or
434 solicited unless the commission determines that mitigating
435 circumstances exist concerning such violation. The Commissioner of
436 Administrative Services shall notify applicants of the provisions of this
437 subparagraph and subparagraphs (A) and (B) of this subdivision
438 during the prequalification application process.

439 (E) The State Elections Enforcement Commission shall make
440 available to each state agency and quasi-public agency a written notice
441 advising state contractors and prospective state contractors of the
442 contribution and solicitation prohibitions contained in subparagraphs

443 (A) and (B) of this subdivision. Such notice shall: (i) Direct each state
444 contractor and prospective state contractor to inform each individual
445 described in subparagraph (F) of subdivision (1) of this subsection,
446 with regard to said state contractor or prospective state contractor,
447 about the provisions of subparagraph (A) or (B) of this subdivision,
448 whichever is applicable, and this subparagraph; (ii) inform each state
449 contractor and prospective state contractor of the civil and criminal
450 penalties that could be imposed for violations of such prohibitions if
451 any such contribution is made or solicited; (iii) inform each state
452 contractor and prospective state contractor that, in the case of a state
453 contractor, if any such contribution is made or solicited, the contract
454 may be voided; (iv) inform each state contractor and prospective state
455 contractor that, in the case of a prospective state contractor, if any such
456 contribution is made or solicited, the contract described in the state
457 contract solicitation shall not be awarded, unless the commission
458 determines that mitigating circumstances exist concerning such
459 violation; and (v) inform each state contractor and prospective state
460 contractor that the state will not award any other state contract to
461 anyone found in violation of such prohibitions for a period of one year
462 after the election for which such contribution is made or solicited,
463 unless the commission determines that mitigating circumstances exist
464 concerning such violation. Each state agency and quasi-public agency
465 shall distribute such notice to the chief executive officer of its
466 contractors and prospective state contractors, or an authorized
467 signatory to a state contract, and shall obtain a written
468 acknowledgement of the receipt of such notice.

469 (3) (A) On and after December 31, 2006, neither the Governor,
470 Lieutenant Governor, Attorney General, State Comptroller, Secretary
471 of the State or State Treasurer, any candidate for any such office nor
472 any agent of any such official or candidate shall knowingly, wilfully or
473 intentionally solicit contributions on behalf of an exploratory
474 committee or candidate committee established by a candidate for
475 nomination or election to any public office, a political committee or a
476 party committee, from a person who he or she knows is prohibited

477 from making contributions, including a principal of a state contractor
478 or prospective state contractor with regard to a state contract
479 solicitation with or from a state agency in the executive branch or a
480 quasi-public agency or a holder of a valid prequalification certificate.

481 (B) On and after December 31, 2006, neither a member of the
482 General Assembly, any candidate for any such office nor any agent of
483 any such official or candidate shall knowingly, wilfully or intentionally
484 solicit contributions on behalf of an exploratory committee or
485 candidate committee established by a candidate for nomination or
486 election to any public office, a political committee or a party
487 committee, from a person who he or she knows is prohibited from
488 making contributions, including a principal of a state contractor or
489 prospective state contractor with regard to a state contract solicitation
490 with or from the General Assembly or a holder of a valid
491 prequalification certificate.

492 (4) The provisions of this subsection shall not apply to the campaign
493 of a principal of a state contractor or prospective state contractor or to
494 a principal of a state contractor or prospective state contractor who is
495 an elected public official.

496 (5) Each state contractor and prospective state contractor shall make
497 reasonable efforts to comply with the provisions of this subsection. If
498 the State Elections Enforcement Commission determines that a state
499 contractor or prospective state contractor has failed to make reasonable
500 efforts to comply with this subsection, the commission may impose
501 civil penalties against such state contractor or prospective state
502 contractor in accordance with subsection (a) of section 9-7b.

503 (6) The provisions of this subsection shall not apply to any state
504 contractor who is a party to a contract between any state agency and
505 the United States Department of the Navy or the United States
506 Department of Defense.

507 (h) (1) Not later than thirty days after February 8, 2007, each state
508 agency and quasi-public agency shall prepare and forward to the State

509 Elections Enforcement Commission, on a form prescribed by said
510 commission, a list of the names of the state contractors and prospective
511 state contractors with which such agency is a party to a contract, and
512 any state contract solicitations or prequalification certificates issued by
513 the agency. Not less than once per month, each state agency and quasi-
514 public agency shall forward to said commission, on a form prescribed
515 by the commission, any changes additions or deletions to said lists, not
516 later than the fifteenth day of the month.

517 (2) Not later than sixty days after February 8, 2007, the State
518 Elections Enforcement Commission shall (A) compile a master list of
519 state contractors and prospective state contractors for all state agencies
520 and quasi-public agencies, based on the information received under
521 subdivision (1) of this subsection, (B) publish the master list on the
522 commission's Internet web site, and (C) provide copies of the master
523 list to campaign treasurers upon request. The commission shall update
524 the master list every month.

525 (i) The State Contracting Standards Board shall study subcontracts
526 for state contracts and, not later than February 1, 2010, submit
527 proposed legislation for extending the provisions of this subsection to
528 such subcontracts to the joint standing committee of the General
529 Assembly having cognizance of matters relating to elections.

530 (j) (1) As used in this subsection:

531 (A) "Quasi-public agency" has the same meaning as provided in
532 section 1-120.

533 (B) "Unclassified service" has the same meaning as provided in
534 section 5-196.

535 (2) On and after December 31, 2006:

536 (A) No executive head of a state agency in the executive branch,
537 executive head of a quasi-public agency, deputy of any such executive
538 head, other full-time official or employee of any such state agency or

539 quasi-public agency who is appointed by the Governor, other full-time
540 official or employee of any such state agency or quasi-public agency
541 who is in the unclassified service, or member of the immediate family
542 of any such person, shall make a contribution or contributions (i) to, or
543 for the benefit of, any candidate's campaign for nomination at a
544 primary or election to the office of Governor or Lieutenant Governor,
545 in excess of one hundred dollars for each such campaign, or (ii) to a
546 political committee established by any such candidate, in excess of one
547 hundred dollars in any calendar year;

548 (B) No official or employee of the office of the Attorney General,
549 State Comptroller, Secretary of the State or State Treasurer who is in
550 the unclassified service, or member of the immediate family of any
551 such person, shall make a contribution or contributions (i) to, or for the
552 benefit of, any candidate's campaign for nomination at a primary or
553 election to the office in which such official or employee serves, in
554 excess of one hundred dollars for each such campaign, or (ii) to a
555 political committee established by any such candidate, in excess of one
556 hundred dollars in any calendar year; and

557 (C) No member of a caucus staff for a major party in the Senate or
558 House of Representatives, or member of the immediate family of such
559 person, shall make a contribution or contributions (i) to, or for the
560 benefit of, any candidate's campaign for nomination at a primary or
561 election to the office of state senator or state representative, in excess of
562 one hundred dollars for each such campaign, (ii) to a political
563 committee established by any such candidate, in excess of one hundred
564 dollars in any calendar year, or (iii) to a legislative caucus committee
565 or a legislative leadership committee, in excess of one hundred dollars
566 in any calendar year.

567 Sec. 505. Section 4a-60 of the general statutes is repealed and the
568 following is substituted in lieu thereof (*Effective from passage*):

569 (a) Every contract to which the state or any political subdivision of
570 the state other than a municipality is a party shall contain the

571 following provisions: (1) The contractor agrees and warrants that in
572 the performance of the contract such contractor will not discriminate
573 or permit discrimination against any person or group of persons on the
574 grounds of race, color, religious creed, age, marital status, national
575 origin, ancestry, sex, mental retardation or physical disability,
576 including, but not limited to, blindness, unless it is shown by such
577 contractor that such disability prevents performance of the work
578 involved, in any manner prohibited by the laws of the United States or
579 of the state of Connecticut. The contractor further agrees to take
580 affirmative action to insure that applicants with job-related
581 qualifications are employed and that employees are treated when
582 employed without regard to their race, color, religious creed, age,
583 marital status, national origin, ancestry, sex, mental retardation, or
584 physical disability, including, but not limited to, blindness, unless it is
585 shown by such contractor that such disability prevents performance of
586 the work involved; (2) the contractor agrees, in all solicitations or
587 advertisements for employees placed by or on behalf of the contractor,
588 to state that it is an "affirmative action-equal opportunity employer" in
589 accordance with regulations adopted by the commission; (3) the
590 contractor agrees to provide each labor union or representative of
591 workers with which such contractor has a collective bargaining
592 agreement or other contract or understanding and each vendor with
593 which such contractor has a contract or understanding, a notice to be
594 provided by the commission advising the labor union or workers'
595 representative of the contractor's commitments under this section, and
596 to post copies of the notice in conspicuous places available to
597 employees and applicants for employment; (4) the contractor agrees to
598 comply with each provision of this section and sections 46a-68e and
599 46a-68f and with each regulation or relevant order issued by said
600 commission pursuant to sections 46a-56, 46a-68e and 46a-68f; and (5)
601 the contractor agrees to provide the Commission on Human Rights
602 and Opportunities with such information requested by the
603 commission, and permit access to pertinent books, records and
604 accounts, concerning the employment practices and procedures of the
605 contractor as relate to the provisions of this section and section 46a-56.

606 If the contract is a public works contract, the contractor agrees and
607 warrants that he will make good faith efforts to employ minority
608 business enterprises as subcontractors and suppliers of materials on
609 such public works project. Prior to entering into the contract, the
610 contractor shall provide the state or such political subdivision of the
611 state with documentation in the form of a company or corporate policy
612 adopted by resolution of the board of directors, shareholders,
613 managers, members or other governing body of such contractor to
614 support the nondiscrimination agreement and warranty under
615 subdivision (1) of this subsection. For the purposes of this section,
616 "contract" includes any extension or modification of the contract, and
617 "contractor" includes any successors or assigns of the contractor.

618 (b) For the purposes of this section, "minority business enterprise"
619 means any small contractor or supplier of materials fifty-one per cent
620 or more of the capital stock, if any, or assets of which is owned by a
621 person or persons: (1) Who are active in the daily affairs of the
622 enterprise, (2) who have the power to direct the management and
623 policies of the enterprise, and (3) who are members of a minority, as
624 such term is defined in subsection (a) of section 32-9n; and "good faith"
625 means that degree of diligence which a reasonable person would
626 exercise in the performance of legal duties and obligations. "Good faith
627 efforts" shall include, but not be limited to, those reasonable initial
628 efforts necessary to comply with statutory or regulatory requirements
629 and additional or substituted efforts when it is determined that such
630 initial efforts will not be sufficient to comply with such requirements.

631 (c) Determination of the contractor's good faith efforts shall include
632 but shall not be limited to the following factors: The contractor's
633 employment and subcontracting policies, patterns and practices;
634 affirmative advertising, recruitment and training; technical assistance
635 activities and such other reasonable activities or efforts as the
636 commission may prescribe that are designed to ensure the
637 participation of minority business enterprises in public works projects.

638 (d) The contractor shall develop and maintain adequate

639 documentation, in a manner prescribed by the commission, of its good
640 faith efforts.

641 (e) The contractor shall include the provisions of subsection (a) of
642 this section in every subcontract or purchase order entered into in
643 order to fulfill any obligation of a contract with the state and such
644 provisions shall be binding on a subcontractor, vendor or
645 manufacturer unless exempted by regulations or orders of the
646 commission. The contractor shall take such action with respect to any
647 such subcontract or purchase order as the commission may direct as a
648 means of enforcing such provisions including sanctions for
649 noncompliance in accordance with section 46a-56; provided, if such
650 contractor becomes involved in, or is threatened with, litigation with a
651 subcontractor or vendor as a result of such direction by the
652 commission, the contractor may request the state of Connecticut to
653 enter into any such litigation or negotiation prior thereto to protect the
654 interests of the state and the state may so enter.

655 (f) The provisions of subsections (a) to (e), inclusive, of this section
656 shall not apply to any contract between the state and the United States
657 Department of the Navy or the United States Department of Defense.

658 Sec. 506. Section 4a-60a of the general statutes is repealed and the
659 following is substituted in lieu thereof (*Effective from passage*):

660 (a) Every contract to which the state or any political subdivision of
661 the state other than a municipality is a party shall contain the
662 following provisions: (1) The contractor agrees and warrants that in
663 the performance of the contract such contractor will not discriminate
664 or permit discrimination against any person or group of persons on the
665 grounds of sexual orientation, in any manner prohibited by the laws of
666 the United States or of the state of Connecticut, and that employees are
667 treated when employed without regard to their sexual orientation; (2)
668 the contractor agrees to provide each labor union or representative of
669 workers with which such contractor has a collective bargaining
670 agreement or other contract or understanding and each vendor with

671 which such contractor has a contract or understanding, a notice to be
672 provided by the Commission on Human Rights and Opportunities
673 advising the labor union or workers' representative of the contractor's
674 commitments under this section, and to post copies of the notice in
675 conspicuous places available to employees and applicants for
676 employment; (3) the contractor agrees to comply with each provision
677 of this section and with each regulation or relevant order issued by
678 said commission pursuant to section 46a-56; and (4) the contractor
679 agrees to provide the Commission on Human Rights and
680 Opportunities with such information requested by the commission,
681 and permit access to pertinent books, records and accounts, concerning
682 the employment practices and procedures of the contractor which
683 relate to the provisions of this section and section 46a-56. Prior to
684 entering into the contract, the contractor shall provide the state or such
685 political subdivision of the state with documentation in the form of a
686 company or corporate policy adopted by resolution of the board of
687 directors, shareholders, managers, members or other governing body
688 of such contractor to support the nondiscrimination agreement and
689 warranty under subdivision (1) of this subsection. For the purposes of
690 this section, "contract" includes any extension or modification of the
691 contract, and "contractor" includes any successors or assigns of the
692 contractor.

693 (b) The contractor shall include the provisions of subsection (a) of
694 this section in every subcontract or purchase order entered into in
695 order to fulfill any obligation of a contract with the state and such
696 provisions shall be binding on a subcontractor, vendor or
697 manufacturer unless exempted by regulations or orders of the
698 commission. The contractor shall take such action with respect to any
699 such subcontract or purchase order as the commission may direct as a
700 means of enforcing such provisions including sanctions for
701 noncompliance in accordance with section 46a-56; provided, if such
702 contractor becomes involved in, or is threatened with, litigation with a
703 subcontractor or vendor as a result of such direction by the
704 commission, the contractor may request the state of Connecticut to

705 enter into any such litigation or negotiation prior thereto to protect the
706 interests of the state and the state may so enter.

707 (c) The provisions of subsections (a) and (b) of this section shall not
708 apply to any contract between the state and the United States
709 Department of the Navy or the United States Department of Defense."